

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 01-6289**

---

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

CHAUNCEY ALEXANDER HOLLIS,

Defendant - Appellant.

---

Appeal from the United States District Court for the Middle District of North Carolina, at Winston-Salem. N. Carlton Tilley, Jr., Chief District Judge. (CR-91-116, CA-98-305-1)

---

Submitted: April 13, 2001

Decided: April 30, 2001

---

Before LUTTIG and MICHAEL, Circuit Judges, and HAMILTON, Senior Circuit Judge.

---

Affirmed by unpublished per curiam opinion.

---

Chauncey Alexander Hollis, Appellant Pro Se. Paul Alexander Weinman, Assistant United States Attorney, Greensboro, North Carolina, for Appellee.

---

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Chauncey Alexander Hollis appeals the district court's order denying relief on his motion filed under Fed. R. Civ. P. 60(b). Hollis sought reconsideration of the court's order granting relief under 28 U.S.C. § 2241 (1994), and vacating his conviction for using or carrying a firearm in light of Bailey v. United States, 516 U.S. 137 (1995),\* on the grounds that the court should have resentenced him on his conspiracy conviction and that counsel provided ineffective assistance at the original sentencing hearing. We have reviewed the record and the district court's opinion denying Hollis' Rule 60(b) motion and find no abuse of discretion. CNF Constructors, Inc. v. Donohoe Constr. Co., 57 F.3d 395, 401 & n.2 (4th Cir. 1995) (finding that where Rule 60(b) motion seeks reconsideration of legal issues, motion is not authorized by Rule 60(b), and rejection of motion is not an abuse of discretion). Accordingly, we affirm the denial of reconsideration on the reasoning of the district court. United States v. Hollis, Nos. CR-91-116; CA-98-305-1 (M.D.N.C. Dec. 13, 2000). We dispense with oral argument because the facts and legal contentions are adequately presented in

---

\* Hollis states in his informal brief filed in this court that he seeks to appeal the order granting § 2241 relief. Although Hollis' informal brief could be construed as a notice of appeal, Smith v. Barry, 502 U.S. 244, 248 (1992), the brief was filed well beyond the applicable appeal period. Fed. R. App. P. 4(a)(1). Thus, we do not have jurisdiction to review the underlying judgment and express no opinion as to its validity.

the materials before the court and argument would not aid the decisional process.

AFFIRMED